

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DESIRAE SCOTT, *et al.*,

Plaintiffs,

v.

ANTONIA HEREDIA, *et al.*,

Defendants.

Case No. 1:24-cv-01067-KES-CDB

ORDER DIRECTING PLAINTIFFS TO FILE
LONG FORM APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

(Doc. 4)

21-DAY DEADLINE

Plaintiffs Desiraee Scott, Jonathan Williams, S.W., and D.W. initiated this action with the filing of their complaint on September 7, 2024. (Doc. 1). Plaintiffs did not pay the filing fee in this action (Doc. 3) and, instead, applied to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Pending before the Court is Plaintiff Desiraee Scott's application to proceed *in forma pauperis*. (Doc. 4). However, Plaintiff's application demonstrates that her income and resources could be above the poverty threshold and the information provided is insufficient for the Court to determine whether she is entitled to proceed without prepayment of fees in this action.

Additionally, the Court notes that there are two adult plaintiffs. However, Jonathan Williams has not filed an application to proceed *in forma pauperis*. Although only one filing fee needs to be paid per case, if multiple plaintiffs seek to proceed *in forma pauperis*, each adult plaintiff must qualify for *in forma pauperis* status. Thus, each named adult plaintiff must submit

1 separate applications to proceed *in forma pauperis* before the Court will grant multiple plaintiffs
2 the status of *in forma pauperis*. *Remmert v. Newsome*, No. 123CV00050ADAHBK, 2023 WL
3 1806277, at *1 (E.D. Cal. Jan. 31, 2023) (citing *Liang v. Kallis*, No. 2:21-cv-0595-JAM-CKD,
4 2021 WL 1721668, at *1 (E.D. Cal. Apr. 30, 2021)).

5 Accordingly, the Court orders both Desiraee Scott and Jonathan Williams each to complete
6 and file and separate and individual Applications to Proceed in District Court Without Prepaying
7 Fees or Costs (Long Form)—AO 239. If Plaintiffs are unwilling to complete and submit the long
8 form applications, Plaintiffs must pay the filing fee in full.

9 Based upon the foregoing, it is HEREBY ORDERED that:

- 10 1. The Clerk of the Court is directed to forward to Plaintiffs Desiraee Scott and
11 Jonathan Williams each separate Applications to Proceed in District Court Without
12 Prepaying Fees or Costs (Long Form)—AO 239; and
- 13 2. Within 21 days of service of this order, Plaintiffs Desiraee Scott and Jonathan
14 Williams shall either (1) pay the \$405.00 filing fee for this action, or (2) complete
15 and file separate and individual Applications to Proceed in District Court Without
16 Prepaying Fees or Costs (Long Form)—AO 239.

17 Any failure by Plaintiffs to timely comply with this order will result in a recommendation
18 that the action be dismissed.

19 IT IS SO ORDERED.

20 Dated: September 13, 2024


21 UNITED STATES MAGISTRATE JUDGE

22
23
24
25
26
27
28